

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

BOARD OF COUNTY)	
COMMISSIONERS OF ATOKA)	
COUNTY, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. CIV-22-00747-HE
)	
WALMART INC., f/k/a/ WAL-MART)	
STORES, INC., <i>et al.</i> ,)	
)	
Defendants.)	
)	

CITY OF ADA, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. CIV-22-00748-HE
)	
WALMART INC., f/k/a WAL-MART)	
STORES, INC., <i>et al.</i> ,)	
)	
Defendants.)	
)	

JOINT STATUS REPORT AND MOTION TO EXTEND STAY

All Plaintiffs and Defendants (the “Parties”) in the above-captioned actions (the “Consolidated Cases”) jointly provide this status report and move for an order extending the stay of these actions and directing the submission of a status report by September 29, 2023.

1. On November 28, 2022, in light of the national settlement framework announced by Walmart Inc. (“Walmart”), this Court stayed the Consolidated Cases and

directed the Parties to submit a status report by January 27, 2023. *See* No. CIV-22-00747, ECF 20.

2. On January 26, 2023, the Parties reported on the progress of the national settlement framework and requested the stay be extended to allow settlement efforts to continue. *See* No. CIV-22-00747, ECF 21. On January 30, 2023, this Court extended the stay and ordered the Parties to file a status report by April 25, 2023. *See* No. CIV-22-00747, ECF 22.

3. On April 25, 2023, the Court extended the stay to June 30, 2023, upon the Parties' Joint Status Report and Motion to Extend Stay. *See* No. CIV-22-00747, ECF 24.

4. The Parties are pleased to report that the national settlement framework has continued to progress. As previously reported, the State of Oklahoma and Plaintiffs have agreed to join the settlement. After prior extensions to the initial opt-in deadlines, the parties to the settlement are currently assessing whether the settlement has sufficient participation from local governments to move forward. If the settlement is fully consummated, it will fully resolve all of Plaintiffs' claims against Walmart.

5. Therefore, to avoid potential waste of resources, the Parties jointly move to extend the stay of this action to allow time for these settlement efforts to continue to proceed. The Parties agree that an extension of the stay is in their best interests. As no responsive pleading has been filed and no trial date has been scheduled, the proposed stay would not adversely affect this Court's calendar.

6. During the continued stay, Defendants would not be required to file an answer or other responsive pleading to Plaintiffs' complaints, and the Parties would not

engage in any motion practice or discovery. Further, the Parties would not “cross-notice” any depositions from other opioid lawsuits. If settlement does not materialize and litigation must resume, the Parties do not waive their respective rights to engage in any motion practice or discovery.

7. The Parties will meet and confer as necessary to submit a status report by September 29, 2023. The report will inform the Court of the status of the settlement and whether there will be any need for any further extension of the stay or entry of a scheduling order.

8. The potential benefits of settlement combined with the potential to avoid unnecessary litigation expense and to conserve judicial resources outweigh any potential burden posed by an extension of the stay should settlement not materialize.

WHEREFORE, the Parties respectfully request that the Court extend the stay of the Consolidated Cases, with a requirement that the Parties submit a joint status report by September 29, 2023.

Dated: June 28, 2023

Respectfully submitted,

s/ Amy Sherry Fischer

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